

303 AAC'D PCT/PTO 07 JAN 1999

09/043433

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of ) Art Unit 5611  
Mundschenk )  
Serial No. 09/043,433 ) Attorney Docket 15050.4.2  
Filed: 19 March 1998 ) Sent Via Express Mail Post Office to Addressee  
For: TOPICAL FORMULATIONS ) Mailing Label No. EM407955445US  
AND DELIVERY SYSTEMS )  
  
To: BOX PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**SUBMISSION OF MISSING PARTS**

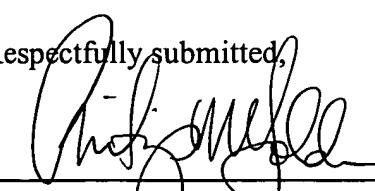
This communication responds to the Notification of Missing Requirements mailed 7 December 1998 in the present application.

Enclosed for filing is the required "Declaration for Patent application." As required, a copy of the Notice is enclosed herewith. The surcharge of \$65.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date was paid at the time of entry into the national stage.

The Commissioner is hereby authorized to charge any additional fees required in connection with this submission to deposit account no. 061910.

Dated: 07 JAN 1999

Respectfully submitted,

  
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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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INTERNATIONAL APPLICATION NO.		
PCT/US96/15596		
I.A. FILING DATE		PRIORITY DATE
09/20/96		09/22/95
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5611

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:  
 a Designated Office (37 CFR 1.494),  
 an Elected Office (37 CFR 1.495):  
  
 U.S. Basic National Fee.  
 Copy of the international application in:  
 a non-English language.  
 English.  
 Translation of the international application into English.  
 Oath or Declaration of inventors(s) for DO/EO/US.  
 Copy of Article 19 amendments.  
 Translation of Article 19 amendments into English.  
 The International Preliminary Examination Report in English and its Annexes, if any.  
 Translation of Annexes to the International Preliminary Examination Report into English.  
 Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
 Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
 Assignment document.  
 Power of Attorney and/or Change of Address.  
 Substitute specification filed \_\_\_\_\_.  
 Statement Claiming Small Entity Status.  
 Priority Document.  
 Copy of the International Search Report  and copies of the references cited therein.  
 Other:
2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
  - a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.  
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 OR ~~31~~ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed:  PCT/DO/EO/917       Notice of Defective Translation  
 PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 305-6021